

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2526

IN THE MATTERS OF:

Served February 6, 1984

Application of EUGENE H. GEORGE     )  
T/A SILVER STAR SIGHTSEEING TOURS   )  
for a Certificate of Public Con-     )  
venience and Necessity to Conduct   )  
Special Operations -- Sightseeing   )

Case No. AP-84-04

By application filed January 31, 1984, Eugene H. George, a sole proprietor trading as Silver Star Sightseeing Tours, seeks a certificate of public convenience and necessity to transport passengers and their baggage in irregular-route special operations, conducting round-trip, per-capita sightseeing tours between points in the Metropolitan District. 1/

Applicant proposes to offer a 5-hour riding tour of buildings and sites generally located in the monument area of the District of Columbia and nearby Northern Virginia, with stops at the U. S. Capitol, the White House (if open), Museum of American History, and the National Air and Space Museum, with building substitutions made as necessary. Service would be performed on a confirmed reservation basis, and the adult fare would be \$20; children under 10 accompanied by a parent would be \$10 each. The application states that the minimum Virginia pickup would be two passengers and the minimum tour group would be four passengers.

It appears that applicant proposes to originate service from motels in the Seven Corners area in Virginia near the intersection of Arlington Boulevard and Leesburg Pike, where motel personnel, acting as agents for applicant, would sell tour tickets. Applicant's equipment list shows a 1979 van seating 10 passengers plus the driver, and a 1967 limousine seating 7 plus the driver. 2/

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1/ To the extent this application could be construed to seek authority to transport passengers solely within the Commonwealth of Virginia, the same is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

2/ The extent of WMATC regulation of such service rendered in a limousine of this seating capacity is a matter under investigation in Case No. MP-83-01, currently pending. It is sufficient here to note applicant's proposal with regard to this vehicle.

Applicant also submitted a balance sheet, which is wholly inadequate, and an operating statement purportedly based upon 1982 operation of this same service as a subcontractor to a now-deceased operator who held no authority to provide it. We shall require an adequate balance sheet and a projected operating statement covering the first 12 months of proposed operation.

Pursuant to the Compact, Title II, Article XII, Section 4(b), this application must be scheduled for public hearing to determine if the applicant is fit, willing and able properly to perform the proposed service and to abide by pertinent regulatory requirements, and to determine if the public convenience and necessity require the proposed service. Applicant will be assessed a sum preliminarily estimated to cover the cost of the hearing and will be required to post and publish notice of this application.

THEREFORE, IT IS ORDERED:

1. That the public hearing in Case No. AP-84-04 of Eugene H. George, trading as Silver Star Sightseeing Tours, is hereby scheduled to commence Thursday, March 22, 1984, at 9:30 a.m. in the Hearing Room of the Commission, Room 314, 1625 I Street, N.W., Washington, D. C. 20006.

2. That applicant publish once in a newspaper of general circulation in the Metropolitan District, and post continuously and conspicuously in its vehicles through the date of public hearing, notice of this application and hearing, in the form prescribed by the staff of the Commission, no later than Friday, February 24, 1984, and present at the hearing an affidavit of publication from the selected newspaper.

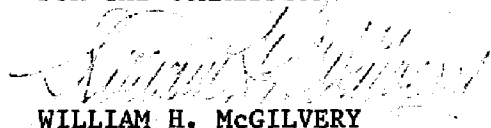
3. That any person desiring to protest this application shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Friday, March 9, 1984, and shall simultaneously serve a copy of such protest or notice on counsel for applicant, Donald L. Hamer, Esquire, 1735 - 20th Street, N.W., Washington, D. C. 20009.

4. That applicant is hereby assessed \$300 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission no later than 12 noon, Tuesday, March 13, 1984.

5. That applicant file with the Commission no later than March 13, 1984, four copies each of a statement of projected revenue

and revenue deductions anticipated from its first 12-month period of operations and a complete balance sheet, simultaneously serve one copy of each statement on each party of record as of March 9, 1984, and produce the originals thereof at the public hearing.

FOR THE COMMISSION:

A handwritten signature in dark ink, appearing to read "William H. McGilvery", is written over the typed name.

WILLIAM H. MCGILVERY  
Executive Director